

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 08 1990

Returned to applicant for correction OCT 18 1990

Corrected application filed OCT 29 1990 Map filed OCT 29 1990

The applicant THE NATURE CONSERVANCY

1244 PINE STREET of BOULDER

COLORADO, 80302 hereby makeS application for permission to change the

Place of use of a portion and the manner of use.

of water heretofore appropriated under Truckee-Carson Irrigation District Serial No. 24, United States of America v. Orr Ditch CO. in Equity N. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada.

1. The source of water is Truckee River and Carson River

2. The amount of water to be changed 478.10 acre-feet

3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage

4. The water heretofore permitted for as decreed

5. The water is to be diverted at the following point and Lahontan Dam being within SW 1/4 SE 1/4, Seciton 33, T19N, R26E, M.D.B.&M.

6. The existing permitted point of diversion is located within No change.

7. Proposed place of use. See addendum.

8. Existing place of use. 35.90 acres in NW 1/4 SW 1/4, 36.40 acres in NE 1/4 SW 1/4, 26.00 acres in SW 1/4 SW 1/4, 27.40 acres in SE 1/4 SW 1/4, Sec. 27, 16.20 acres in NE 1/4 SE 1/4, 18.00 acres in SE 1/4 SE 1/4, Sec. 28, T18N, R29E, M.D.B.&M.

9. Use will be from as decreed to of each year.

10. Use was permitted from as decreed to of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) No new diversion or storage works on the Truckee River or the Carson River will be constructed.

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See Addendum.

By s/Robert Wigington
Robert Wigington, Atotrney for The Nature
1244 Pine Street, Conservancy
Boulder, CO 80302

Compared bc/ bc

Protested 1/23/91 by The Truckee-Carson Irrigation District

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed before _____

Application of water to beneficial use shall be made on or before _____

Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, _____,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this _____ day of _____,
A.D. 19 _____

MAR 18 1991

[Signature]
STATE ENGINEER

State Engineer

ADDENDUM TO APPLICATION TO TRANSFER
NEWLANDS PROJECT WATER RIGHTS
UNDER TCID SERIAL NO. 24

1. The proposed place of use consists of 56,720 acres more or less in:

All of sections 2 through 11; 14 through 22; 27 through 34, T21N, R32E;

All of sections 1 through 3; 10 through 15; 22 through 27; 34 through 36; T21N, R31E;

All of sections 3 through 10; 16 through 21; 29; 30, T20N, R32E;

All of section 1; section 2, W1/2, E1/2SE1/4, W1/2NE1/4, NE1/4NE1/4; all of sections 11 through 14; section 22, E1/2; all of sections 23 through 26; section 27, E1/2, SW1/4, E1/2NW1/4, SW1/4NW1/4; section 28, E1/2SE1/4; section 33, E1/2, E1/2SW1/4, SE1/4NW1/4; all of sections 34 through 36, T20N, R31E;

All of sections 2 and 3; section 4, E1/2, E1/2NW1/4, E1/2SW1/4, SW1/4SW1/4; all of sections 9 through 11; 14 through 16; section 17, E1/2, SW1/4, NE1/4NW1/4; all of sections 20 through 22, T19N, R31E; M.D.B. & M.

2. Applicant seeks the approval of the State Engineer to cease the delivery of up to 478.10 acre feet (2.99 acre feet per acre multiplied by 159.9 acres recognized in the baseline for the Operating Criteria and Procedures for the Newlands Project adopted on April 14, 1988 out of 180.0 water righted acres) at the turnout for the existing place of use, to deliver up to that amount to a turnout on the "S" Line of the Newlands Project or other point of delivery for the Stillwater Wildlife Management Area, and alternatively to use that amount for the maintenance of wetlands for recreation and wildlife at various places within the 56,720 acre (more or less) proposed place of use at the Stillwater Wildlife Management Area or to store it in various ponds and reservoirs in that area for such use at a later time.

3. Applicant expressly reserves the right to transfer in a later proceeding .51 acre feet for each of the 159.90 acres in the OCAP baseline and 3.5 acre feet for each of the remaining 20.10 water righted acres at the existing place of use.

